



**Town of Walpole
Commonwealth of Massachusetts
Zoning Board of Appeals**

John Lee, Chairman
Susanne Murphy, Vice Chair
Robert Fitzgerald, Clerk
Mary Jane Coffey, Member
Craig Hiltz, Member

DECISION - BOARD OF APPEALS CASE NO. 20-18

FILE

APPLICANT:
Sundeep Desai

LOCATION OF PROPERTY INVOLVED:
12 Hummingbird Lane
Walpole Assessors Map 35, Parcel 15-2
Zoning District: RB

APPLICATION:

A **Special Permit** under Section 5-B.2. of the Zoning Bylaw to allow an Accessory In-Law Suite.

On October 17, 2018 a Public Hearing was held in the Main Meeting Room of Town Hall for the purpose of receiving information and voting upon a decision as to the granting of a **Special Permit** request.

The following members were present and voting:

John Lee, Chairman
Susanne Murphy, Vice Chair
Robert Fitzgerald, Clerk
Mary Jane Coffey, Member
Craig Hiltz, Member

A motion was made by Hiltz and seconded by Murphy to amend the Application for a Special Permit under Section 5-B.2 of the Zoning Bylaws for an Accessory In-Law Suite to the grant of an Appeal of the Zoning Enforcement Officers' interpretation that a Special Permit for an In-Law Suite is required, and to move to grant the appeal, at 12 Hummingbird Lane, Walpole, Ma.

The vote was **(5-0-0) in favor**; (Lee, Murphy, Hiltz, Fitzgerald, and Coffey voting); therefore the application for a Special Permit under Section 5-B.2 is hereby amended, and the appeal of the Zoning Enforcement Officers' interpretation that a Special Permit for an In-Law Suite is required is granted.

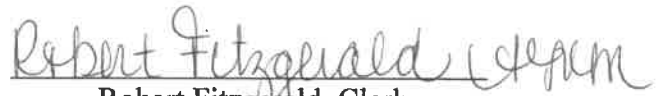
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TOWN CLERK

REASONS FOR DECISION:

During discussions with the Zoning Enforcement Officer, the Applicant was advised that the proposed project would require relief under Section 5-B.2 of the Zoning Bylaw to permit the Accessory In-Law Suite. The Board discussed the application of Section 5-B.2 to the project and concluded it did not apply to the construction of Accessory In-Law Suite due to the proposed addition lacking a kitchen within the area considered by the Zoning Enforcement Officer to constitute the In-Law Suite, and containing only a single bedroom, bathroom and walk-in closet. Consequently the Board concluded that no relief was required under Section 5-B.2 for the project and voted 5-0-0 to amend the Application for a Special Permit under Section 5-B.2 of the Zoning Bylaws for an Accessory In-Law Suite to the grant of an Appeal of the Zoning Enforcement Officers' interpretation that a Special Permit for an In-Law Suite is required, and to grant the appeal. Thus, no special permit is required for the project under Section 5-B.2 of the Zoning Bylaw.

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY DAYS AFTER THE DATE OF FILING OF THE NOTICE OF DECISION IN THE OFFICE OF THE CITY OR TOWN CLERK.

WALPOLE ZONING BOARD OF APPEALS


Robert Fitzgerald, Clerk

RF/am

cc: Town Clerk
Engineering
Planning Board
Applicant
Board of Selectmen
Building Inspector
Conservation Commission
Abutters

This decision was made on October 17, 2018 and filed with the Town Clerk on October 29, 2018